Family Maintenance Enforcement Program

Year End Report
1990-1991

Province of Alberta
Solicitor General

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A Message from the Attorney General

The Family Maintenance Enforcement Program has been busier than ever in the third year since it was created to monitor and enforce Maintenance Orders and Agreements across British Columbia.

A more experienced, and better-trained staff have handled a 45 per cent caseload increase compared to 1989/90. The amount of maintenance payments they have collected for their clients represents a 128 per cent jump from last year.

New streamlined policies and procedures, better telephone systems, and an improved computer system for precise monitoring of payments all contributed to heightened efficiency.

The FMEP remains the only such program in Canada that spares its clients the effort and expense of obtaining or preparing crucial documents.

During 1990/91, the Program has continued to revise written materials to adhere to the principles of plain language. A formal complaint procedure was established to hear client feedback and ensure the system works better in the future.

The Program is by no means perfect. It must listen more closely to its clients and react faster to their needs. The women and children it serves are among the most vulnerable in our society.

With 450 new clients enrolling each month, it must be guided in the years ahead by the principles of fair treatment and sensitivity to the concerns of those who come to it for help. A review will be conducted of all Program policies and procedures this year. Plans are already underway to improve communications with clients.

This report describes the Program during 1990/91 and affirms the government's commitment to improving the quality of life for the Program's clients, on behalf of all British Columbians.

The Honourable Colin Gabelmann
Attorney General

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Background

Mandate

The Courts have long recognized that the financial responsibilities of parents to children do not end when the relationship between the parents has ended, and regularly make Maintenance Orders and Agreements which oblige parents to continue providing for their families.

The mandate of the Family Maintenance Enforcement Program (FMEP) is simple: To monitor and enforce those Maintenance Orders and Agreements made by the Courts and then filed with the FMEP, at no cost to the creditor - the person entitled to receive the maintenance payments.

Authority

The Government of British Columbia officially proclaimed the Family Maintenance Enforcement Act in September 1988. The Family Maintenance Enforcement Program, administered by the Ministry of Attorney General, began province-wide in January 1989.

The B.C. Family Maintenance Enforcement Act gives the FMEP exclusive jurisdiction to monitor and enforce Maintenance Orders and Agreements filed with the Program throughout British Columbia.

Under the Act, the FMEP has full authority to enforce "all or part of any arrears of maintenance" by taking any steps it considers advisable. The Act confirms that maintenance payments take precedence over other unsecured debts, and restates the legal principle that, unless proved otherwise, the debtor - the person who owes the maintenance - is presumed to have the ability to pay.

The Act also safeguards the legal rights of debtors by ensuring that they receive notice of the Program's involvement and of enforcement actions taken, and are given an opportunity to present their side of the case to the FMEP and, if necessary, to the Court.

Objectives

The objectives of the Family Maintenance Enforcement Program are straightforward:

- to increase the number of debtors who pay their maintenance as required;
- reduce the emotional and financial problems faced by families unable to collect their maintenance payments;
- to change the attitudes of both debtors and the general public, so that willing payment of family maintenance becomes the rule, not the exception; and
- to place financial responsibility for family maintenance on the debtor rather than on the public through Income Assistance.

Model

The FMEP deals with thousands of cases. As a result, the Program is designed as a mass enforcement model which:

- emphasizes administrative enforcement rather than Court hearings whenever possible;
- limits one-to-one communications with creditors to maximize time spent on actual enforcement; and
- places responsibility for determining how best to enforce an Order with FMEP staff, rather than individual creditors.

Enrollment

Anyone living in B.C. with a Maintenance Order or Agreement for child or spousal support from any Court in Canada is eligible to enroll in the FMEP as a creditor, whether the

Order is fully paid up or in default. There are no fees of any kind.

Creditors receiving Income Assistance can be enrolled in the FMEP by the Ministry of Social Services. For other creditors, however, the FMEP works on an "opt-in" system where the creditor must choose to file his or her Order with the FMEP, rather than have the Order automatically filed when it is made by the Court. Unlike other Maintenance Programs across Canada, this means that the FMEP provides service only to those people who want or need it.

To enroll, all creditors must first complete a Filing Kit, available either from the FMEP itself or from Court Registries and Government Agent's Offices across the province.

After the Filing Kit is complete, enrollment normally takes about six to eight weeks. In certain unusual cases, however, the process may take somewhat longer. Occasionally, for example, a Maintenance Order must be retrieved from storage by the Court or the FMEP must seek a legal opinion on the terms of the Order before continuing with enrollment.

Payment Monitoring

Once an Order is enrolled, the FMEP will send both the creditor and the debtor a formal Notice of Filing. This Notice states that the Maintenance Order is now being monitored and, if in default, enforced by the Program.

In most cases, the FMEP will now require the debtor to make all further payments to the Program, where they will be recorded and mailed to the creditor within 24 hours. Occasionally, however, a Maintenance Order will require a debtor to make his or her payments to the Provincial Court. In these cases, the Court will mail the payment directly to the creditor, then notify the FMEP to keep the Program's records up-to-date and ensure that the creditor receives the money without undue delay.

Enforcement

The FMEP automatically takes enforcement action to recover any payments owing from the time before or after the creditor enrolled in the Program.

When an Order is in arrears, the case will appear on a default list. An Enforcement Officer works from this list and will choose from a variety of enforcement options to obtain payment, depending on the circumstances of the particular case.

Generally, the Enforcement Officer will first contact the debtor to see if he or she will make a voluntary arrangement to bring the maintenance payments up to date. If voluntary payment cannot be arranged, the Officer will then consider administrative enforcement measures.

The most common administrative enforcement measure is a Notice of Attachment. This Notice can be issued against anyone who owes the debtor money - an employer or the Unemployment Insurance Commission, for example - and requires that a specified portion of that money is sent directly to the FMEP for the creditor.

Additional action to secure the Maintenance Order or Agreement may include Land Registration, which ensures a debtor's property cannot be sold without paying maintenance arrears.

If administrative enforcement on arrears is ignored, disputed, or proves to be impractical, the FMEP will consider bringing the debtor to Court. The Court can then take additional action to enforce the payment of arrears, up to and including imprisonment if a previous Enforcement Order includes a provision for time in jail if payments are not made.

Out-of-Province Enforcement

The FMEP goes beyond provincial boundaries. B.C. has agreements with all other Canadian provinces and territories, and a number of U.S. states and other countries, to enforce each other's Maintenance Orders and Agreements.

Once the FMEP knows a certain debtor is living in another jurisdiction, the Program will compile the documents needed to register his or her Maintenance Order in that jurisdiction, then will monitor the payments and communicate with the other Program on the creditor's behalf. The FMEP cannot, however, take any enforcement action in that jurisdiction, or tell the other Program what to do.

When another jurisdiction registers one of its cases with the FMEP because a particular debtor is living here, the FMEP will register, enroll and enforce that Order.

Applications to Vary

Only the Court can reduce or forgive payments and arrears. Debtors often apply to the Court to vary maintenance downward and to forgive past arrears. The FMEP will, in some circumstances, act on behalf of the creditor to defend against this application. Lawyers with the FMEP have been highly successful in preventing the reduction of the Maintenance Order and a cancelling of arrears.

Tracing

When a debtor cannot be located, the FMEP requests a trace for the missing debtor through the provincial Maintenance Enforcement Information Search (MEIS) Unit. MEIS will search through provincial databanks and work with a federal tracing service to discover the debtor's current location and employment status.

Organization

The FMEP is operated by Themis Program Management and Consulting Limited under contract to the Ministry of Attorney General and reporting to the Director of Maintenance Enforcement, a public servant designated by the Attorney General. The value of this contract was $4,578,725 in 1990-1991.

Table 1: Program Staff *(As of March 31, 1991)*

Office/Region/Unit	# of Staff
Provincial Office	4
Burnaby (Lower Mainland)	35
Kamloops (Interior/North)	19.5
Victoria (Vancouver Island)	15
Central Enrollment Unit	21.5
Central Payment Processing	4
Out-of-Province Enforcement Unit	3
Total Staff	**102**

FMEP staff, based in seven offices, work to ensure uniform enforcement services across the province:

- The Provincial Headquarters Office provides province-wide monitoring, administrative support, co-ordination and strategic planning.
- Program enrollment for the province is handled through the Central Enrollment Unit.
- The Central Payment Processing Unit receives, records, and distributes all payments made to the FMEP across the province.
- In-province enforcement action is decentralized into three Regional Offices in Burnaby, Kamloops and Victoria. This decentralization allows each of these offices to co-ordinate easily with other agencies, including the local Courts, and to respond readily to the particular needs of their surrounding communities. A separate unit attached to the Kamloops Regional Office handles all out-of-province enforcement cases.
- Managers at each of the offices provide overall direction and supervision. There are 15 enforcement teams, consisting of an Enforcement Officer and an Enforcement Clerk, responsible for the actual case-management. Full-time FMEP lawyers are used for most Court appearances, while specialized Enquiry Clerks handle all telephone enquiries and process mail.

Activities in 1990-1991

Overview

Over the past 12 months, the FMEP's caseload increased by 45 per cent.

With only a nine per cent increase in staff, the FMEP made significant gains in both enforcement action (increased by 88 per cent) and money collected (up an impressive 128 per cent).

Table 2: Volume Increases (Debtor in B.C.)

Category	1989-1990	1990-1991	Increase
Total Enrolled Cases	8,717	12,658	45%
Average Caseload At Each Regional Office	581	847	45%
Total Administrative Enforcement Actions	4,325	8,122	88%
Total Court Appearances	1,812	3,477	92%
Total Enquiries	115,849	138,372	19%
Total $ Collected	7,385,539	16,865,580	128%
Total Staff	93	102	9%

This heightened productivity is the result of a better trained and more experienced workforce, using streamlined policies and procedures and a vastly improved computer system.

Enrollment

Because this is the only Family Maintenance Enforcement Program in Canada to obtain all Court Orders and prepare the initial Affidavit of Arrears for the creditor, the enrollment process is both complex and time-consuming. This process does, however, mean that the creditor does not have to spend his or her own time and money to provide or prepare the documents.

Table 3: Case Volumes (Debtor in B.C.)

Category	Total as of March 31, 1991
Cases Enrolled	12,658
Cases Being Enrolled	1,429

Right now, it takes an average of six to eight weeks to enroll a case - to collect all necessary Court Orders and financial information - and up to another four weeks to prepare the Affidavit of Arrears, which is necessary before enforcement action can be taken.

Creditors continue to enroll in the FMEP at a rate of around 450 per month. Approximately 30 per cent of cases are creditors receiving Income Assistance.

Payment Processing and Monitoring

In September 1990, the FMEP established a Central Payment Processing Unit to receive, record and distribute all payments made to the Program across the province. The data entry system developed for this new Unit ensures that a payment cannot be credited to the wrong account, and has resulted in much more efficient payment processing.

Payment processing must quickly deal with problem payments - those made out incorrectly, or payable to the Program rather than the creditor. Regional office staff must also be able to reverse payments when a creditor advises staff that the cheque was NSF, and to hold payments where a legal time limit has not been met or a creditor has failed to tell the Program of a change of address.

Collection

The FMEP is an "opt-in" program: unless a creditor is on Income Assistance, he or she must choose to enroll. Because people who have always received their maintenance payments regularly tend not to enroll, the FMEP has a higher proportion of cases in arrears than do most other Programs in Canada which automatically enroll all Maintenance Orders. This means, however, that the money obtained by the Program is money that might otherwise never have been paid.

During 1990-1991, over $29 million in maintenance payments came due to creditors enrolled with the FMEP. The FMEP collected nearly $17 million, which represents a total of 58 per cent of all maintenance due. Approximately 26 per cent of all enrolled creditors were paid in full; 50 per cent were partially paid; and 24 per cent have received no payment since they enrolled.

Enforcement

Enforcement decisions are made by an FMEP Enforcement Officer, working with an Enforcement Assistant who processes the necessary data and documents. There are 15 Enforcement Teams throughout B.C; each Team carried an average load of 844 cases by the end of 1990-1991.

The time it takes an Enforcement Officer to complete an enforcement action depends largely on the status of the debtor.

If the debtor is steadily employed, and the FMEP can find the name and address of his or her employer, enforcement is relatively straightforward. If, however, the debtor is unemployed, or the FMEP must request a search to find a missing debtor, enforcement can be much more complex and time-consuming. Tracing alone may take up to six months to complete, and then there is still no guarantee that the debtor will be found.

The FMEP always attempts to use administrative rather than Court enforcement to obtain past due payments. Administrative enforcement is much faster and easier than Court action.

Table 4: Administrative Enforcement

Type of Action	1990-1991
Voluntary Payment Arrangements	373
Default Letters	4,573
Notices of Attachment	2,742
Land Registration	434
Total Administrative Actions	8,122

Court action is used by the FMEP only when administrative enforcement is not practical, or when the FMEP decides to defend a creditor when a debtor brings an application to vary the amount specified in the original Maintenance Order.

Table 5: Court Enforcement

Type of Action	1990-1991
Default Hearings Started	1,077
Applications to Vary Defended	383
Total Court Actions	1,460
Total Court Appearances	3,477

Out-of-Province Enforcement

The FMEP's Out-of-Province Enforcement Unit deals with cases where the debtor lives outside of B.C. As of March 31, 1991, this Unit was handling 847 enrolled cases and had received $794,845 in payments from out of province debtors, representing 45 per cent of the total owed.

Communications

In 1990-1991, the FMEP handled 138,372 telephone enquiries, an average of 55 calls per working day. This represents a 20 per cent increase from 1989-1990.

To help cope with this increase, the FMEP significantly improved its telephone systems over the past year. Now, when an Enquiry Clerk takes a call, he or she looks at a special Enquiry Screen for case-related information on payments and enforcement action. A call sequencer was also added to the Lower Mainland office to let clients know their calls will be taken as soon as an operator is free, and the 1-800 toll-free service was streamlined to provide quick callback instead of tying up the line for other callers.

In addition, the FMEP is part of the Ministry of Attorney General's initiative to use plain language in materials used by the public. In 1990-1991, the FMEP reviewed all forms, letters and brochures and began revising publications to be as clear, easy to read and brief as possible.

Policies, Procedures, and Computerization

The FMEP completed its Policy and Procedures manual in February 1991. This manual provides clear and consistent direction to every staff member on what to do in any given situation.

The FMEP relies extensively upon computerization to perform four major functions:

- to provide the information needed to determine the current status of each case and to make decisions on what action to take;
- to automatically allocate all monies received and to provide total balances and statements of account;
- to generate enforcement documents using the information on the database; and
- to compile statistical and management reports so that the performance of the FMEP as a whole can be monitored and analyzed, and problems identified and resolved.

In 1990-1991, the FMEP implemented a master plan and timetable to make the computer system more effective, reliable and easier to use.

Service Quality

A small but significant number of people (about two per cent of FMEP creditors and debtors) complained about the FMEP in 1990-1991.

Complaints from debtors accounted for approximately 30 per cent of all complaints, and generally focused on enforcement actions. Complaints from creditors usually focused on the time it takes the FMEP to complete successful enforcement action, or on a perceived lack of communication during the enforcement process.

Maintenance enforcement deals with many sensitive issues - money, quality of life, and family relationships. In addition, the FMEP deals with thousands of cases. It is inevitable that some creditors and debtors will get angry or upset with the FMEP on occasion, and that the FMEP will make mistakes.

The FMEP takes complaints seriously and treats them promptly. The Director of Maintenance Enforcement has established a formal complaint procedure to review each complaint in order to determine whether a problem exists and how it can be avoided in the future.

Complaints help us identify and address any gaps or flaws in our policies, procedures or legislation. Over the past year, we've made a number of changes based on complaints from both creditors and debtors. For example, we have changed our envelopes so that the return address uses only our initials; carefully examined ways to improve our communications; clarified federal government procedures for intercepting money owed to creditors; and reviewed provincial legislation relating to land registration and the pursuit of interest on outstanding maintenance payments.

Plans for 1991-1992

Service Quality/ Communications

Good communications are vital to both service quality and customer satisfaction. The real challenge for the FMEP is to ensure that we can give and receive pertinent information from creditors and debtors, without burdening our Enforcement Teams to the point where they spend so much time on the telephone that they can't take actual enforcement action.

Over the next year, the FMEP will work to communicate more clearly with creditors and debtors about what information they are entitled to and how they can most easily obtain it, and we will also continue to revise our publications to be as clear, easy to read and brief as possible.

We will also begin a random survey of creditors to determine their views on the services we provide - both our strengths and our weaknesses - and continue to participate on a variety of committees dedicated to improving family justice system services.

In addition, we will begin installing an Interactive Voice Response system, starting in the Lower Mainland, in early 1992. This system will give creditors the opportunity to obtain up-to-date information about their enrollment status, payments received or outstanding and enforcement action directly from the FMEP computer. And we will begin changing our policies to allow creditors who wish to receive maintenance payments directly from their debtors to do so.

Enforcement

Over the next year, FMEP will complete a workload analysis to determine the ideal number of cases for each Enforcement Team, the average time it takes to commence and complete enforcement, and how best to streamline the work of enforcement.

In addition, we will install a larger and faster computer to automate more functions and create better case tracking systems in June 1991. This system will also increase our enforcement speed. By mid-1992, for example, the computer will generate all Notice of Attachment packages in one-third the time it currently takes an Enforcement Team to put together the same package.

Conclusion

The Family Maintenance Enforcement Program has come of age.

Since it was first introduced province-wide in January 1989, the FMEP has developed the staff, facilities, work and computer systems necessary to operate an effective maintenance enforcement program.

But there are a number of issues and problems that we still need to deal with. Over the next fiscal year, we will focus on improving our ability to enforce Orders in a reasonable period of time and to clarify and improve communications with both creditors and debtors.

It is also important, however, that creditors and debtors and the public at large have realistic expectations about what the FMEP can and cannot accomplish.

Creditors are continuing to enroll in the FMEP at a rate of 450 per month. This means increased workloads for all staff, which inevitably affects how quickly we can begin and complete enforcement action. And we can never guarantee that any enforcement action will be successful.

Although there are a variety of resources at our disposal, we will always draw a blank on some cases - because we cannot locate the debtor, the debtor has no income that can be attached, the debtor is genuinely unable to pay or is determined to go to jail rather than pay.

In addition, the FMEP operates in a wider environment over which we have little control. Increasing unemployment rates necessarily affect many debtors and their ability to pay maintenance; the federal government's procedures for processing intercepted federal monies creates delays in receiving funds and the cancellation of attachments; and the restricted communications policies of other Maintenance Enforcement Programs makes it difficult for the B.C. FMEP to obtain case update on Orders where the debtor lives in another province or country.

The fact remains, however, that thousands of families are now receiving the money to which they are entitled, money they wouldn't have collected without the FMEP.

Appendix:

Questions Commonly Asked by Creditors and Debtors

Creditors:

Q. I would like to enroll in the FMEP, but I've heard it takes six months. Is this true?

A. No, it's not true.

When the FMEP first started in 1988, we had a huge backlog of cases waiting to be enrolled. In 1989, however, we opened a special office just for enrollment and it now generally takes six to eight weeks to enroll a new creditor. This might still seem like a long time, but remember that the FMEP is the only maintenance program in Canada to obtain certified copies of Orders and prepare Affidavits of Arrears on the creditor's behalf. This saves creditors both time and money, but also means that we need time to collect all relevant materials.

Q. I've also heard that the FMEP receives a lot of complaints. What's wrong?

A. A program like the FMEP will always experience some problems and receive some complaints. Family maintenance is a very sensitive issue that affects people's families, their relationships and quality of life.

There are thousands of people who need our services, and we have only so many staff available to help them. Some people might feel we're not really giving them the attention they deserve. Some creditors might be unhappy with us because they think enforcement is taking too long, or because we just haven't been able to collect all their money, while some debtors might be angry because we've attached their wages or placed a lien on their property.

We take complaints very seriously. We investigate each and every case and, if we discover a problem, we attempt to fix it as quickly as possible. If necessary, we change our policies and procedures to prevent the same thing from happening again.

Q. Can you guarantee that you will be able to enforce my Order?

A. The FMEP has made a difference to many thousands of families who are now regularly receiving their maintenance payments. However, we can not guarantee payments for everyone.

In some cases, we either cannot locate the debtor, the debtor has no source of income, or the debtor would rather go to jail than pay maintenance. And, if the debtor lives outside of B.C., we have no control over what enforcement action is taken in another jurisdiction.

Q. I am currently enrolled in the FMEP. Why can't I talk to my Enforcement Officer whenever I want to?

A. The FMEP is not set up as a personal legal or counselling service. Our Enforcement Officers each carry a very large caseload, and work on hundreds of cases every day. Unfortunately, they cannot take enforcement action and take telephone calls at the same time.

We know it is important for you to be able to give and receive information about your case. That's why we've placed specialized Enquiry Clerks in every FMEP office. These Clerks will record your questions or information right on the computer system, then make sure

your Enforcement Officer receives your message as soon as possible. Our Enquiry Clerks can also give you up-to-date information whenever you request it, on payments received and enforcement action taken.

Q. Is it true that people on Income Assistance get priority treatment in enforcing their Maintenance Orders?

A. No, it is not true that people on Income Assistance get priority treatment. It is true, however, that the FMEP has a priority list.

The FMEP gives top priority to those creditors - either receiving Income Assistance or not - who have been enrolled the longest, who have not received any money, and who have not had any enforcment action taken on their cases other than default letters and land registration, where appropriate.

Q. Why don't you just throw my ex-partner in jail for not paying my maintenance?

A. Throwing someone in jail for not paying maintenance is considered a last resort by the Court. A Judge will only put debtors in prison after they have repeatedly demonstrated they do not intend to pay, and we will only ask a Judge for a jail sentence after we've exhausted all other forms of enforcement.

Q. You tell me that you cannot enforce my Order, but I know my ex is living well and driving a new car. Why can't you do something?

A. We have to know the debtor's sources of income before we can attach his or her wages, and we have to be able to prove to a Judge that the debtor has enough assets to pay the maintenance owed before we can ask the Court for further enforcement measures.

It's often difficult to identify a debtor's assets - like real estate or motor vehicles - because they might be registered in another name. And even when they are registered in the debtor's name, there may be so much money owing on them through mortgages or loans that there is no point in trying to seize and sell them.

Q. My family needs more money than the debtor is currently required to pay. Can you look after this for me?

A. The Family Maintenance Enforcement Act does not allow us to become involved when a creditor seeks to raise the amount of maintenance payments.

If you receive Income Assistance, you may ask a Family Maintenance Worker at the Ministry of Social Services to help you. If you are not on Income Assistance, you should either speak with your ex-partner to obtain a Consent Agreement, where you both agree to a higher amount, or talk to a Family Court Counsellor or lawyer for further advice.

Q. I understand the FMEP is operated by a private company on contract to the government. Does this mean they will cut corners or only enforce the easy cases in order to make a profit?

A. The terms of the contract held by Themis Management and Consulting Limited ensure that the company cannot profit by either reducing services or cutting operational costs. The company is paid a fixed management fee (no commission), regardless of how many cases are enforced, and must return any excess operational funds to the government.

Debtors:

Q. Why should I pay maintenance when I don't even get to see my children?

A. Access to your children and your obligation to pay maintenance are two different issues.

The Court ordered you to pay maintenance because your children or former spouse need the money to live. We understand that access to your children is an important and sometimes painful issue, but we must fulfil our legal obligation to see that you pay the maintenance required by the Court.
We cannot advise you on any child custody or access issues. If access is a problem, we recommend that you see a Family Court Counsellor or talk to a lawyer.

Q. I think my maintenance payments are too high. Why can't I pay less?

A. The FMEP is legally required to enforce the amount stated in your Maintenance Order. Only the Court can change that amount.

If you think your maintenance payments are too high, you should speak to a lawyer or a Family Court Counsellor to find out how you can apply to have your Order changed.

Q. My maintenance payments have fallen into arrears. Can you give me more time to pay what I owe?

A. Depending on the circumstances of your case - why your payments have fallen behind - the FMEP can negotiate with you to set up a reasonable schedule for repayment of arrears. We can only do this, however, if you continue to make your regular payments.

Q. Why have you put a lien on my house when I don't owe any arrears?

A. The Family Maintenance Enforcement Act allows the FMEP or the creditor - the person entitled to receive the maintenance - to register the Maintenance Order against property owned by the person who owes the maintenance, even if the Order has not fallen into arrears. This lien protects the creditor by ensuring that the property cannot be sold until all arrears - if any - are paid.

If you wish to re-mortgage or sell the property, and you don't owe any arrears, the FMEP will either postpone or remove the lien.

Q. My Order is not in arrears, so why should I be required to be in the Program?

A. The FMEP has two functions: first, to monitor maintenance payments by receiving, recording and mailing them on to enrolled creditors, and second, to enforce Orders or Agreements that are in arrears.

Under the Family Maintenance Enforcement Act, any valid Maintenance Order enforceable in British Columbia is eligible for enrollment in the FMEP by the creditor. As long as the debtor makes payments by the due date, the FMEP's involvement will be limited.

Q. The creditor has more money than I do. Why is the FMEP helping her/him?

A. Under the Family Maintenance Enforcement Act, all creditors with valid Maintenance Orders have the right to enroll in the FMEP regardless of their financial circumstances.

Q. The FMEP has intercepted my UIC, but my ex says she/he hasn't received any of it. What's happened?

A. It presently takes up to two months for the FMEP to receive the first payment intercepted by the federal program responsible for administering this service.

Q. You said you cancelled the interception of my benefits, but I called my local UI Office and they said the block is still on. Why?

A. The federal government has advised us that it can take a week after we ask them to cancel an interception, for the block to come off.